

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK**

UNITED STATES OF AMERICA,

-against-

**PROPOSED VOIR
DIRE QUESTIONS
1:15-CR-250 (TJM)**

NICHOLAS KHAN, a/k/a Netti,

Defendant.

REQUESTED JURY VOIR DIRE QUESTIONS

1. Does the nature of the allegations bother anybody or make anybody uncomfortable so that you don't believe that you can render a fair and impartial verdict?
2. Have any of you had any personal experience involving the criminal justice system, which will preclude you from presuming the defendant not guilty?
If you wish to discuss this in private out of the presence of the other jurors, you will be accommodated.
3. Do any of you have a problem with the notion that the defendant sits before you presumed innocent, and that it is the government's burden to prove his guilt to you beyond a reasonable doubt?
4. Do any of you have a problem with the notion that the defendant has no burden, and that if he decides to remain mute and present no evidence and the government fails, in your minds, to meet their burden of proof, it will be your duty as jurors to find him not guilty?
5. Does everybody promise to give the defendant a fair listen if he does decide to testify on his own behalf?

As well, do you all understand that the defendant's decision whether or not to testify is one that he and his lawyer make, and do you promise to respect their decision and not hold it against the defendant if he does not testify?

Do you all promise that in either event, you are not permitted to look into that decision for some hidden meaning regarding the defendant's guilt or his lack of guilt?

6. Would any juror feel compelled to favor the testimony of any federal agent or law enforcement agent over a lay witness based simply on that person's position?
7. Does any juror believe that a law enforcement officer is more likely to tell the truth than another person?
Do you all agree that a police officer can exaggerate or lie like any other person?
Do you all promise to scrutinize the testimony of federal agents and police officers for accuracy and honesty like you will for all witnesses?
8.
 - a) Has any juror been a witness in any case, civil or criminal?
 - b) Has anybody had prior jury service in any case, civil or criminal? Were you a foreman or forewoman?
9.
 - a) Have any of the potential jurors ever been employed by law enforcement agencies?
 - b) Does anybody have any close friends who are police officers, federal agents or any kind of law enforcement official?
 - c) Does anybody have relatives or close friends who are attorneys?
10. Have you or any member of your family been arrested for any criminal offense?
11. Do any of you have a problem with the concept that the defendant has no obligation whatsoever to offer any testimony, exhibits, witnesses, documents or to even speak himself, and that he is presumed innocent?
12. If the defendant does not testify can you assure the Court, the Government and the defendant himself that you will not hold this against him?
13. Law enforcement personnel are going to testify. Do any of you feel that their testimony should be given more weight or credence because of their position as law enforcement?

Dated: June 17, 2016

Respectfully submitted,

Electronically signed

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